

CITY OF WILLMAR

PLANNING COMMISSION MEETING

7:00 P.M. ON WEDNESDAY, OCTOBER 21, 2020

VIRTUAL

GOTO MEETING

Chair: Christina Nelson

Vice Chair: Rolf Standfuss

Members: Steve Gardner, Jeffery Kimpling, Cletus Frank, Jonathan Marchand, Terry Sieck, Khalif Ahmed Bashir, and Stephanie Carlson.

AGENDA

1. Meeting Called to Order
2. Minutes of September 16, 2020 meeting
3. Innovative Systems Plan Review
4. 7:01p.m. Renaissance Zone Text Amendment
5. Driveway Standards Introduction
6. Extension of Plan Review Approval 19-04 Papa Murphy's Drive-Thru
7. Tiny Homes Update
8. Miscellany
9. Adjourn

**WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, SEPTEMBER 16, 2020**

MINUTES

1. The Willmar Planning Commission met on Wednesday, September 16, 2020, at 7:03 p.m. virtually via GoTo Meeting.

**** Members Present:** Christina Nelson, Rolf Standfuss, Steve Gardner, Jeff Kimpling, Terry Sieck, and Stephanie Carlson.

**** Members Absent:** Cletus Frank, Khalif Ahmed Bashir, and Jonathan Marchand

**** Others Present:** Sarah Swedburg – Planner

2. MINUTES: Minutes of the August 19, 2020 meetings were approved as presented.

3. INTRODUCTIONS: Commissioners & staff introduced themselves to our newest Planning Commission member, Stephanie Carlson. Ms. Carlson is taking the seat of Dr. Jerry Kjergaard, who recently resigned from the Commission. She joins us with a background in the construction industry as an assistant project manager for TerWisscha Construction.

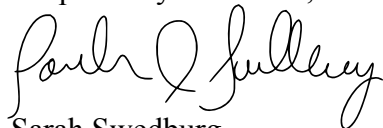
4. TINY HOMES STANDARDS DISCUSSION (CONTINUED): Staff provided a brief update of past discussions on Tiny Homes standards. At the last Commission meeting, staff was directed to look into the logistics of the Planning Commission form a small task force to explore and make a detailed recommendation to the Planning Commission for consideration of an ordinance amendment to send to City Council.

Jonathan Marchand has expressed interest in participation of this task force, as well as Steve Gardner and Stephanie Carlson. Staff will reach out to absent members and confirm their interest in serving in this manner.

The Planning Commission agreed that an informal group to explore Tiny Homes in more detail is the direction they would like to pursue. The Commission would like to bring this item back for discussion on October 21.

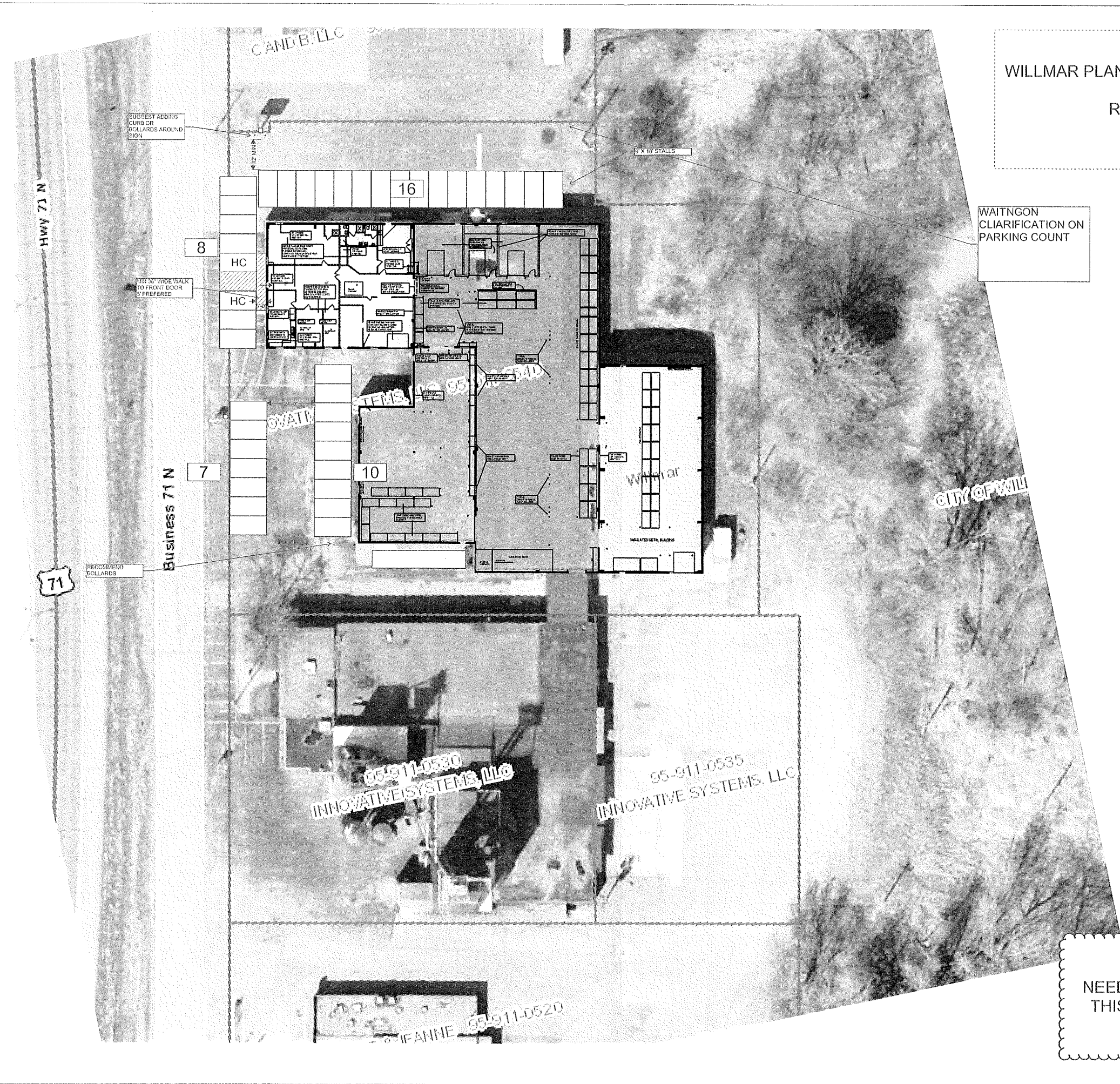
6. There being no further business to come before the Commission the meeting adjourned at 7:41 p.m.

Respectfully submitted,



Sarah Swedburg
Planner

9/2/2020 2:35:10 PM C:\Users\jordan\Documents\20-017 Innovative Sys. Willmar, MN R21 - CENTRAL.mxd 9/2/2020 2:35:10 PM 9/2/2020 2:35:10 PM All rights reserved. 20-017-01-001



WILLMAR PLAN REVIEW COMMENTS

REDLINES
BAH

WAITNGON
CLARIFICATION ON
PARKING COUNT

NEED TO ADD
THIS SHEET

CITIES EDGE
ARCHITECTS
1155 15th Street SE
432-807-0131 / Coudes@citiesedge.com

Certification & Seal
I hereby certify that the design shown on this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.

J. D. H.
John D. Hickey
Professional Engineer
No. 2000

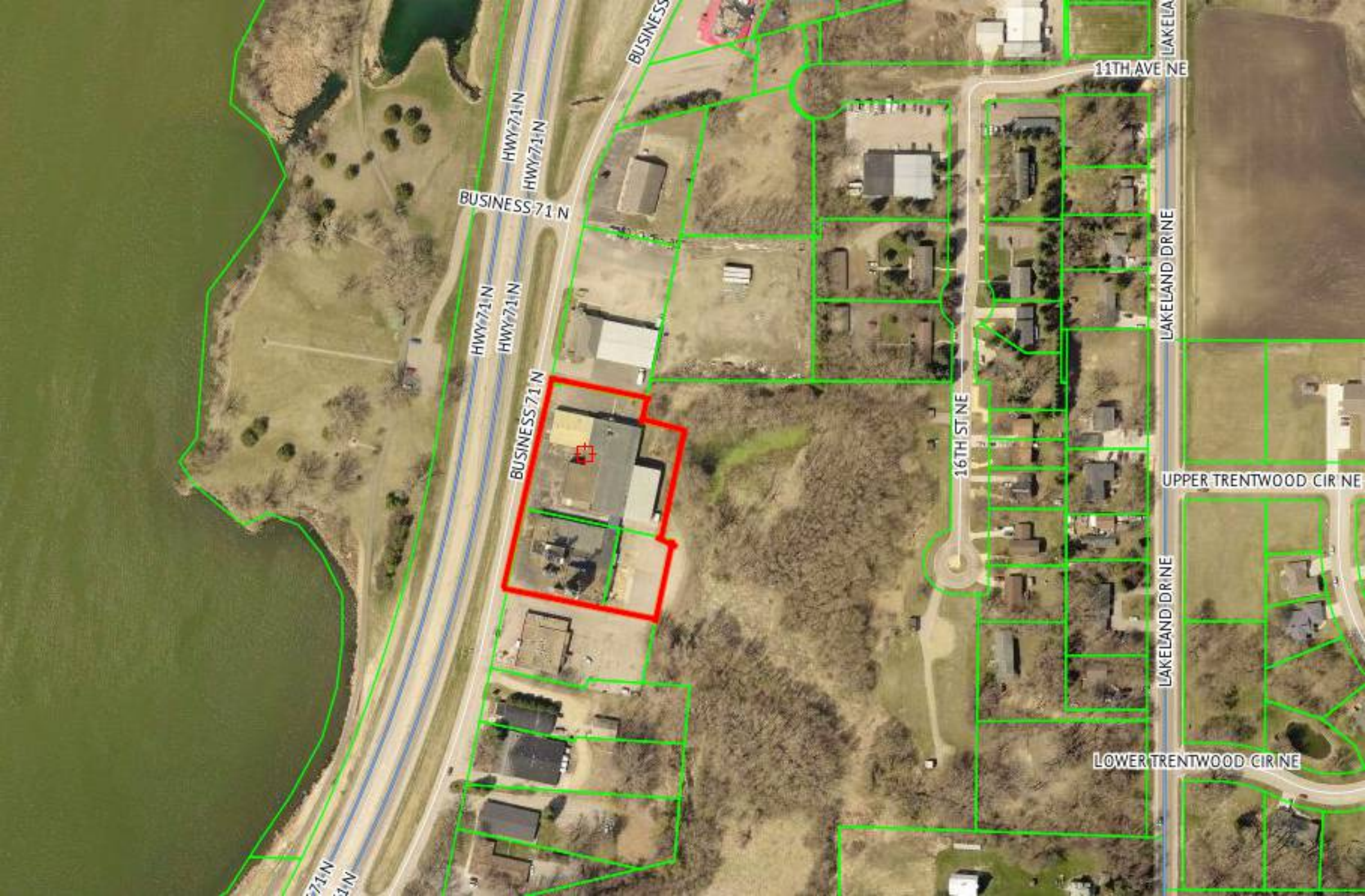
01 ASI R01 10/09/2020
DATE 09/10/20
FOR CONSTRUCTION

RENOVATION
OF EXIST BLDG
1000 HWY 71
SERVICE ROAD

INNOVATIVE
SYSTEMS
200 S. 15th Street
WILLMAR, MN

SITE PLAN

20-017
A100



BUSINESS 71 N

BUSINESS 71 N

HWY 71 N

HWY 71 N

BUSINESS 71 N

16TH ST NE

11TH AVE NE

LAKELAND DR NE

LAKELAND DR NE

UPPER TRENTWOOD CIR NE

LOWER TRENTWOOD CIR NE

PLANNING COMMISSION – OCTOBER 21, 2020

STAFF COMMENTS

1. INNOVATIVE SYSTEMS PLAN REVIEW -- FILE NO 20-03:

- The applicant is Cornerstone of Willmar, Inc of Willmar, MN on behalf of Innovative Systems Inc.
- The applicant is requesting a plan review to allow a printing business on property legally described as: That part of Government Lot 3 described as follows: Commencing at a point on the Easterly Right-of-Way line of Business Highway 71 and 669.60 feet northerly of the South Line of Government Lot 3 of SD Section 11, then Easterly 259.2 feet, then northerly 200 feet, then Northwesterly 80 feet, then Northeasterly 40 feet, then Northwesterly 159.20 feet then southwesterly 5 feet, then Northwesterly 20 feet, then Southwesterly 35 feet, then continuing Southwesterly 200 feet to point of beginning (1000 Business 71 N).
- The parcel is zoned I-2 (General Industry).
- The property is surrounded by GB (General Business) to the north & south, P (Park) to the west, and G (Government) to the east.
- The parcel fronts Business 71 N, and is accessed via a parallel frontage street.
- The business currently operates in the area, but is located outside of City Limits. The renovation of the old “Trouw Nutrition” site will allow them to be located within Willmar.
- Parking requirements for this use are as follows: :At least eight (8) spaces, plus one (1) space for each two (2) employees on each shift based on maximum planned employment, or at least eight (8) spaces plus one (1) space for each eight hundred (800) square feet of floor area, whichever is greater.”
 - a. Based on size of building: 40 spaces required
 - b. Based on maximum planned employment: ??? spaces required
- Site plan shows provision of 41 parking spaces.
- This Plan Review is only for the northern half of the existing building. Innovative Systems Inc also purchased the southern half, but does not plan to renovate that portion at this time.
- The property is legally non-conforming, due to parking setbacks. However, this renovation will not increase any existing non-conformities.
- Sign permits are ancillary from the Plan Review.

RECOMMENDATION: Approve the plan review permit with the following condition:

- A. The use shall meet all applicable local, state, and federal rules and regulations at all times.

NOTICE OF HEARING FOR PROPOSED ORDINANCE

Notice is hereby given that the Planning Commission for the City of Willmar will meet on Wednesday October 21, 2020, at 7:01 p.m. via GoTo Meeting, to consider an amendment to the City of Willmar Ordinance 1060, known as the Willmar Zoning Ordinance. This amendment will establish the administration process, performance standards, and “Open Zoning” process in Section 12 regulating the “Renaissance Zone” overlay district. This overlay district allows for exemptions from the standards set in the Willmar Zoning Ordinance, together with other targeted development incentives.

Copies of the proposed ordinance are available at the Willmar City Offices, Planning and Development Department, 333 6th St SW, at no cost.

All are hereby notified of the public hearing. Due to the COVID-19 health pandemic & local and state emergency declarations, all are invited to participate via GoTo Meeting or be represented by counsel to be heard on this matter. To participate in the public hearing, please connect via internet at <https://global.gotomeeting.com/join/615081765> or via phone at (312) 757-3121, access code 615-081-765. The Planning Commission meeting agenda and packet can be found on the calendar on the home page of the City’s website (www.willmarmn.gov).

October 10, 2020

Sarah J. Swedburg

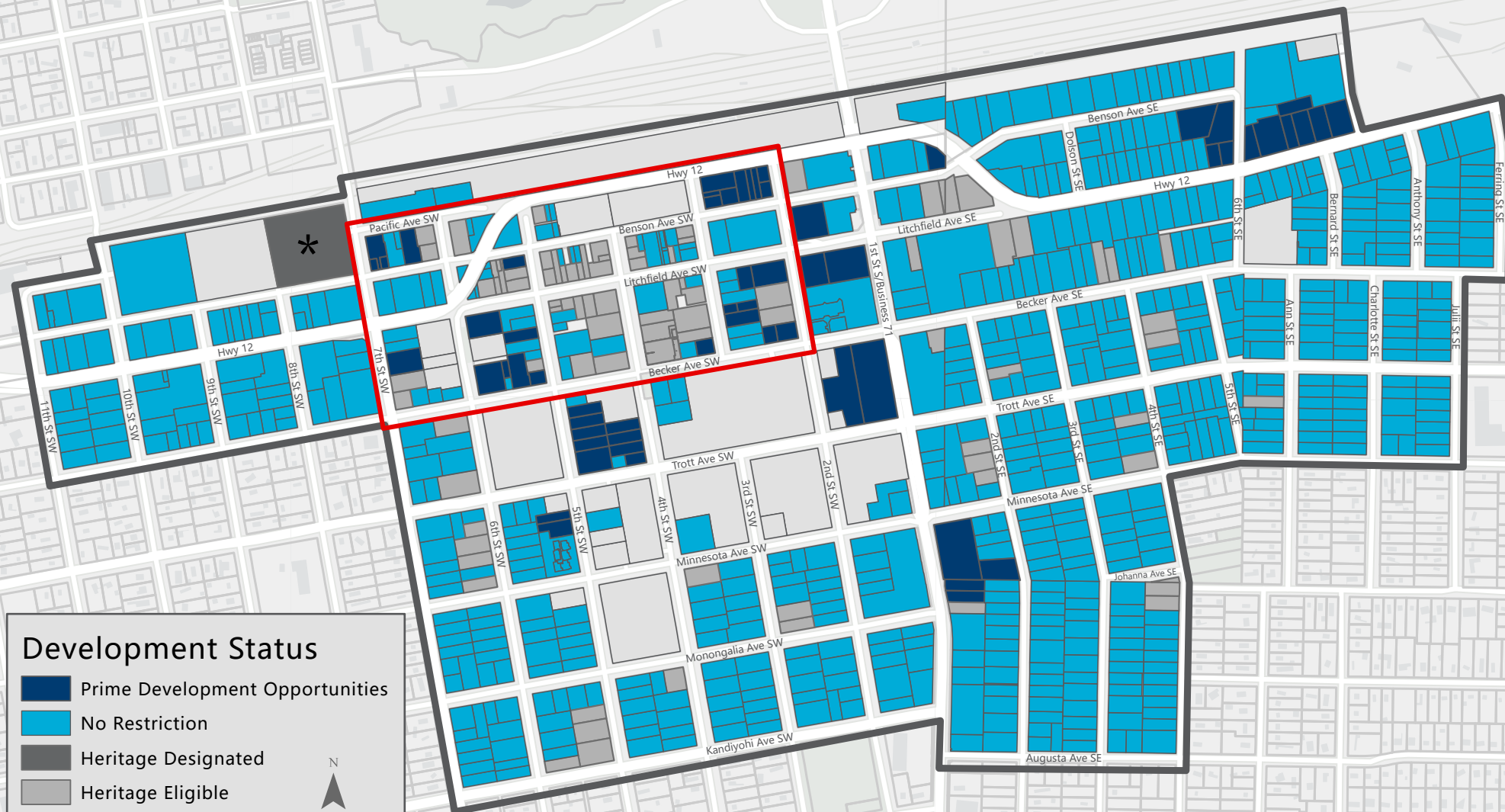
Date

Planner

Si Usted no lee inglés o si este aviso no contiene una explicación suficiente, por favor comuníquese con Abby al 235-0850 ext. 1100, de Heartland Community Action Agency.

Haddii Aadan Akhriyi Karin Ama Aadan Fahmeeynin Ogeeysiiskan, Fadlan Soo Wac: Sahra Gure, West Central Interpreting Services, LLC (320)235-0165 ama (320)441-8555.

Renaissance Overlay District Willmar, MN



*Tentative Heritage Designation
until December 2022

City of Willmar Property

- Renaissance Zone
- City Parking & Vacant Lots
- City Facilities
- City Park
- Hospital
- Willmar Municipal Utilities



*Potential sites for hotel development --
City Owned or Hospital owned parking lots.

City of Willmar
RENAISSANCE ZONE - PROJECT EVALUATION FORM

Points Possible	100	PROJECT SCORE REQUIREMENT: To receive Development Committee and Planning Commission recommendation for approval by the City Council approval, projects must receive a minimum of 71 points (Excellent or better).		
Points Awarded - RZ OBJECTIVES	53			
Points Awarded - VIABILITY	28			
Total Points	81	APPLICABLE PROJECTS: Non-Traditional Zoning, TIF, Abatement, Free City Land, Heritage Designated Improvements		
EVALUATOR'S COMMENTS				
Project Name	Greatest Thing Since Sliced Bread		Love this project! Owner and contractor have provided very creative solutions that will greatly enhance the Renaissance Zone. They have also done their homework and have seemingly covered all contingencies.	
Address	426 Litchfield Avenue SW			
RENAISSANCE ZONE OBJECTIVES - 65% of Evaluation Score				
EVALUATOR'S QUALITATIVE SCORES		POINT SCALE		
CREATIVITY	Outstanding 18 - 20	Excellent 14 - 17	Good 10 - 13	Unacceptable 0 - 9
18	Project is most creative in providing spatial, contextual and architectural solutions in a most appealing and functional manner.	Project provides above average solutions that expertly address contextual, spatial and architectural relationships.	Project addresses most of the issues with adequate solutions, but some concerns remain unaddressed.	Projects does not address many key issues, or solutions are either nonexistent or undesirable.
MIXED-INCOME HOUSING and/or RETAIL - OFFICE	Outstanding 18 - 20	Excellent 14 - 17	Good 10 - 13	Unacceptable 0 - 9
12	Project hss demographically aligned mix of upper-, middle- and lower-income housing -AND/OR- Office/Retail spaces preleased.	Project mix of upper-, middle- and lower-income housing units in near alignment with demographics - AND/OR- Some Office/Retail preleased.	Project housing meets minimum 5% affordable ratio/Exceeds a 25% ratio - AND/OR- Office/Retail spaces speculative and do not have leases.	Project's housing excludes at least one income class. -AND/OR- Office/Retail are inadequate in a significant way.
COMPLEMENTS and/or ENHANCES RENAISSANCE ZONE	Outstanding 14 - 15	Excellent 11 - 13	Good 9 - 10	Unacceptable 0 - 8
14	Project is exceptional in the way it enhances and complements surrounding amenities -OR- as an iconic amenity/building itself.	Project adds substantial enhancements to surrounding entertainment and building amenities.	Project adequately integrates with entertainment uses.	Project lacks or has minimal integration with entertainment uses.
COMPLEMENTS and/or ENHANCES PEDESTRIAN EXPERIENCE	Outstanding 9 - 10	Excellent 7 - 8	Good 5 - 6	Unacceptable 0 - 4
9	Project is outstanding in its enhancement of the pedestrian experience, both along streets and through the building.	Project substantially enhances the pedestrian experience along streets and through building.	Project adequately integrates pedestrian amenities.	Project lacks or has minimal integration of pedestrian amenities.
VIABILITY OF THE PROJECT - 35% of Evaluation Score				
EVALUATOR'S PRACTICALITY SCORES		POINT SCALE		
MEETS A DEMAND / FILLS A GAP	Outstanding 14 - 15	Excellent 11 - 13	Good 9 - 10	Unacceptable 0 - 8
12	Project meets excess demand or fills gap in an extraordinary way that is not met by any others or by a very few.	Project meets excess demand or fills gap in a significant way.	Project meets a minimal amount of demand or partially fills a gap.	Project appears to provide excess housing, retail, office or other use above market demand
FEASIBILITY	Outstanding 9 - 10	Excellent 7 - 8	Good 5 - 6	Unacceptable 0 - 4
9	Project has significant funding and reserves above needs, and has apparently mitigated all known risks.	Project excellent access to funding, has excess reserves and is well grounded in market analysis.	Project's financial plan adequately grounded in market analysis.	Project seems very speculative and not well grounded in market.
SHOVEL READINESS	Outstanding 9 - 10	Excellent 7 - 8	Good 5 - 6	Unacceptable 0 - 4
7	Project's ready to go, its site issues and construction schedule are well understood, detailed and well considered.	Project's initial phases are ready to go, construction phases are are well planned.	Project has adequate planning, but some loose-ends need to be addressed during construction.	Project's site and design have many unknowns and major issues are still unaddressed.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WILLMAR, MINNESOTA AMENDING WILLMAR
ORDINANCE 1060, KNOWN AS THE WILLMAR ZONING ORDINANCE BY
ESTABLISHING OPEN ZONING IN THE RENAISSANCE ZONE AND A LOCAL
HERITAGE ORDINANCE

The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF ORDINANCE 1060, SECTION 12. Ordinance 1060, Section 12 is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

SECTION 12. RENAISSANCE ZONE OVERLAY DISTRICT.

A. GENERAL PROVISIONS.

1. Title. This Section shall be known as the “City of Willmar Renaissance Zone Ordinance”.
2. Intent and Purpose. The intent and purpose of this Ordinance is to:
 - a. Encourage urban commercial and residential development that transforms the Renaissance Zone into a self-sustaining economy that strengthens current businesses and continually attracts new commercial projects.
 - b. Celebrate, protect and preserve Willmar’s cultural and economic diversity by ensuring there is a demographically representative variety of housing, retail, office space and community events.
 - c. Maintain a regionally-demographically-pegged mixture of upper-, middle-, and low-income housing units, so the Renaissance Zone remains a place for everyone in relation to and within a 5 percent deviation from combined levels found within the city and its two-mile extraterritorial subdivision regulation enforcement jurisdiction.
 - d. Ensure the Renaissance Zone reflects the cultural heritage and economic diversity of the area by attracting development that increases both the Renaissance Zone’s resident population and the number of visitors/patrons to the Renaissance Zone by (a) utilizing a high-density, mixed-use design, (b) repositioning and reinforcing the Renaissance Zone as the cultural, health, and entertainment center of Willmar, and (c) dedicating public spaces and commons areas for events.

3. Jurisdiction. The provisions of this Ordinance shall apply to the areas of the City's Central Business district and adjacent lands identified as the Renaissance District on the official Zoning Map, as amended from time to time.
4. Applicability and Relation to other Provisions. This Ordinance shall apply to all development within the Renaissance Zone that takes advantage of the alternative processes and provisions contained within this Ordinance. For such development, this Ordinance may impose restrictions on structures and land uses in addition to those applicable to the underlying zoning district. In many cases, this Ordinance provides greater flexibility relative to the regulations applicable to the underlying zoning district. Where this Ordinance expressly conflicts with any other provision of the Willmar Zoning Ordinance, this Ordinance shall prevail. Where there is no express conflict, provisions of this Ordinance and of the Willmar Zoning Ordinance shall be interpreted to give effect to both provisions to the greatest extent possible
5. Definitions. Unless specifically defined below, words or phrases used in this Ordinance shall have their common meaning and to give this Ordinance its most reasonable application.

Local Heritage Designation. Buildings, sites, uses, structure, objects and districts that are recognized for their historical, architectural, archaeological, or cultural importance, as designated by the City of Willmar pursuant to the Local Heritage Designation Ordinance (citation).

Open Zoning. A process of individual project review through which a proposed use that is not allowed under the zoning requirements of the underlying zoning district, but which promotes and encourages adaptive reuse of heritage-designated and existing infrastructure; contextual use and creativity; density; mixed-income housing; entertainment uses; a healthy, equitable, and resilient community; and pedestrian-scaled streetscapes, may be granted a conditional use permit under this Section 12.

Parking credit. A reduction in the required number of off-street parking spaces required under City of Willmar Zoning Ordinance, Section 4.

Pedestrian-Oriented Landscaping. Landscaping focused on amenities for those walking, including but not limited to, seating, fountains, sculptures, plantings, tables, pedestrian coverings, and lighting.

Renaissance Zone Application. The City of Willmar Renaissance Zone Application, including the main application, the additional forms for specific programs, and any additional documents required by the Zoning Administrator.

B. ADMINISTRATION.

1. Applications. In addition to any applications usually required under the Willmar Zoning Ordinance, a Renaissance Zone Application must be submitted to the Zoning Administrator for all projects within the Renaissance Zone that take advantage of the alternative processes and provisions contained within this Ordinance.
2. Zoning Administrator. The Zoning Administrator shall accept all Renaissance Zone Applications, review for completeness, and act upon the application in accordance with the processes herein described.
3. Variances. Variances may be granted in accordance with Minnesota Statutes Chapter 462. The administrative procedures for variance applications contained in Section 9, Subsection D of the City of Willmar Zoning Ordinance shall be followed for variance applications within the Renaissance Zone.
4. Conditional Use Permits. The review of a conditional use permit application for a property within the Renaissance Zone shall follow the application procedure found in the City of Willmar Zoning Ordinance Section 12, if the proposed use is a conditional use pursuant to the applicable provisions of the City of Willmar Zoning Ordinance for the underlying zone. Any requests for conditional uses not permitted by the applicable provisions of the City of Willmar Zoning Ordinance for the underlying zone may apply for a conditional use permit using the Open Zoning provisions found herein.

C. PERFORMANCE STANDARDS.

Projects issued a conditional use permit under Paragraph D below shall be exempted from the setback requirements and other performance standards established in the underlying zoning district. Such setback requirements or performance standards may be addressed in conditions of the conditional use permit customized to reflect the specific characteristics and impacts of the permitted project.

D. OPEN ZONING.

1. Eligibility: All projects within the Renaissance Zone not permitted by the underlying Zoning District, as defined in the City of Willmar Zoning Ordinance, may apply for a Conditional Use Permit (CUP) under the Open Zoning process set forth in this Paragraph D.
2. Open Zoning Process: The Open Zoning process allows the consideration of a conditional use permit for any use within the Renaissance Zone that is evaluated pursuant to Subparagraph 4 herein to promote and encourage adaptive reuse of heritage-designated and existing infrastructure; contextual use and creativity; density; mixed-income housing; entertainment uses; a healthy, equitable, and resilient community; and pedestrian-scaled streetscapes, notwithstanding the underlying Zoning District requirements.
3. Application: All projects wishing to apply for a conditional use permit under the Open Zoning process must submit a completed Renaissance Zone Application to the City Zoning Administrator, and provide all additional information requested by City staff, the Planning Commission, the Development Committee, and the City Council to support the application. When the Zoning Administrator determines the application is complete, the Zoning Administrator shall submit the application to the Planning Commission.
 - a. Housing: If the project proposes to redevelop any existing below-market housing units, the application must be accompanied by a plan demonstrating that the project will satisfy the following requirements:
 - i. at least five percent (5%) of the housing units created by the project shall be reserved for and affordable by tenants making a maximum of eighty percent (80%) of the Area Median Income (AMI);
 - ii. intermediate transition housing shall be provided for current residents of below-market housing units on the site of the project for the duration of construction or renovation of new units on the site;
 - iii. current residents of below-market housing units on the site of the project shall have the right of first refusal to lease new units created by renovation or construction on the site; and

- iv. in the event that the project will result in a reduction in the number of housing units reserved for and affordable by tenants making a 80% of AMI on the site, residents of such existing units who are unable to secure a lease in the new development shall be provided relocation assistance pursuant to Minn. Stat. § 117.52, as the same may be amended.
 - b. Local Heritage Designation: An Applicant may apply for Local Heritage Designation of any existing or proposed buildings, in accordance with the Willmar Local Heritage Designation program, Willmar City Code Chapter 14, Section 4, simultaneously with the Open Zoning application. If the project contains one or more Local Heritage Designated structures, structures on the list of potential heritage sites, or is in the Downtown Commercial Heritage District, the applicant must simultaneously submit an alteration/renovation/demolition review request in accordance with Willmar City Code Chapter 14, Section 4.
- 4. Evaluations and approvals: The Planning Commission shall follow the procedure and criteria laid out in the conditional use process, Willmar Planning Code 9E2-9E9 for the evaluation and approval of a conditional use permit under the open zoning process. The Planning Commission shall additionally consider the objective evaluation of the project's viability and furtherance of the following Renaissance Zone objectives, according to a uniform scoring system to be approved by the City Council:
 - a. Whether the project exhibits creativity in addressing contextual, spatial and architectural relationships;
 - b. Whether and the extent to which the project will include mixed-income housing;
 - c. Whether and the extent to which the project will include retail and/or office space;
 - d. Whether and the extent to which the project will complement and/or enhance the vitality and character of the Renaissance Zone;
 - e. Whether and the extent to which the project will enhance the pedestrian experience;
 - f. Whether the project meets a demand and/or fills a market gap;
 - g. Whether the project is financially feasible and viable; and

- h. Whether the project is shovel ready.
- 5. Ineligible Uses. The following uses are ineligible for a CUP under the open zoning process:
 - a. Adult Uses.
 - b. Agricultural product processing plants.
 - c. Gas bulk plants.
 - d. Manufacturing of explosive or toxic materials.
 - e. Meat packing/rendering plants.
 - f. Power plants.
 - g. Solid waste collection and recycling facilities for metals, glass, paper, wood, etc. (not including household garbage).
 - h. storage and/or sale of flammable liquids and gases, except as reasonably necessary in connection with the on-site retail sale thereof.
 - i. Permanent concrete, bituminous, or gravel production businesses.
- 6. Appeals from decisions of the Zoning Administrator or Planning Commission regarding decisions made in accordance with this ordinance may be made to the Board of Zoning Appeals, as defined in Willmar Zoning Ordinance Section 9B, by following the process and standards found in Willmar Zoning Ordinance Section 9C.

E. PARKING.

1. OFF-STREET PARKING REQUIREMENTS.

- a. The off-street parking requirements of Section 4 of the Willmar Zoning Ordinance apply to all buildings, structures, and uses of land constructed, established, or authorized, except Parking Credits may be used to meet said requirements.
- b. Upon submission of the Renaissance Zone Application and the Parking Reduction application, the Zoning Administrator may issue parking credits not to exceed 50% of the parking requirements under the Willmar Zoning Ordinance, for the following reasons:

- i. Construction or use of below grade contextual or camouflaged parking;
- ii. Suitable number of public parking space, if retail or office uses are included;
- iii. Installation of bike parking;
- iv. Installation of Electric Vehicle Charging Stations;
- v. Shared car amenities provided by multifamily housing management for the use of multifamily housing residents.

F. FEES.

1. Notwithstanding any other ordinance provision or the City of Willmar Fee Schedule, upon the approval of a Renaissance Zone Application requesting permit fee reductions an applicant shall not be charged a fee for any the following, except as provided in subparagraph 2 below:

- a. Building Permit Fees;
- b. Land Use Application Fees;
- c. Sign Permit Fees;
- d. Sewer Availability Charge; or
- e. Water Availability Charge.

2. If a share of any of the fees or charges listed in subparagraph 1 above is due to the Federal government, State of Minnesota, or another political subdivision, the Zoning Administrator shall charge the applicant the non-City portion of the fee.

Section 2. AMENDMENT OF CITY CODE CHAPTER 14. City Code Chapter 14 is hereby amended to add a new Article IV as follows:

ARTICLE IV. - LOCAL HERITAGE DESIGNATION ORDINANCE

Sec. 14-251. - Definitions.

Unless specifically defined below, words or phrases used in this ordinance shall have their common meaning and to give this ordinance its most reasonable application.

(a) *Architectural Integrity*. Degree of a building's or portion of a building's original components and aesthetics. Architectural Integrity degradation is measured according to the following terms and definitions:

(1) *Unaltered*: No alteration.

(2) *Slightly Altered*: Basic shape and window arrangement intact, roofline intact, and only mild alterations to storefront or upper façade. Simple covering of original siding with removable material or aluminum combination windows installation allowed.

(3) *Moderately Altered*: Basic shape and window arrangement intact, but two of the following have occurred: new siding, storefront or upper façade altered or enclosed, window openings or type changed, roofline changed, or unobtrusive rear or side addition.

(4) *Significantly Altered*: Basic shape and window arrangement changed and two or more of the following have occurred: new siding; storefront or upper street façade significantly altered, removed, or enclosed; major addition; original design elements removed or covered; or roofline altered.

The original state of the building shall be the date of the significant event, person, style, or work attached to the building or portion of the building.

(b) *Downtown Commercial Heritage District*. The area south of Pacific Avenue SW, east of 7th Street SW, north of Becker Avenue SW, and west of 2nd Street SW.

(c) *Local Heritage Designation*. A designation bestowed upon a parcel, building, or portion of a building by the City of Willmar Heritage Preservation Commission indicating the historical, architectural, archaeological, engineering, or cultural significance of the parcel or structure in accordance with this ordinance and any rules promulgated by the City of Willmar Heritage Preservation Commission.

(d) *Renaissance Zone*. The area designated as the Willmar Renaissance Zone Overlay District in Ordinance XXX.

Sec. 14-252. – Heritage Preservation Commission (HPC).

(a) *Created*. There is hereby established a heritage preservation commission in accordance with Minn. Stat. § 471.193, subd. 2, which shall be known as the City of Willmar Heritage Preservation Commission.

(b) *Members*. The membership of the City of Willmar Heritage Preservation Commission shall be the Chair of the Planning Commission, Chair of the Community Development Committee, Chair of the Zoning Board of Appeals, Chair of the Parks & Recreation Board, and the Chair of the Kandiyohi County

Historical Society, if such person resides in the City of Willmar. The non-voting membership of the commission shall be the City Planner, the City Zoning Administrator, the City Administrator, the City Building Official, and the Chair of the Kandiyohi County Historical Society, if said person resides outside of the City of Willmar.

- (c) *Powers and duties.* The City of Willmar Heritage Preservation Commission is assigned the following powers and duties, to be exercised in compliance with all applicable state laws, the City of Willmar City Charter, and all provisions of the City of Willmar Zoning Ordinance, Ordinance No. 1060, as amended:
- (1) Survey, review, and designate districts, sites, buildings, structures, and objects of historical, architectural, archaeological, engineering, or cultural significance, in accordance with the provisions herein.
 - (2) Create and maintain a list of potential properties, including sites, buildings, and structures, for local heritage designation.
 - (3) Enact rules governing the construction, alteration, demolition, and use of Local Heritage Designated buildings and the Downtown Commercial Heritage District, including criteria for the review of building permits and the prescription of measures for the preservation, protection, and perpetuation of designated properties and areas.
 - (4) Approve, deny, or prescribe additional measures for building permits connected to Local Heritage Designated buildings, including granting historical preservation, protection, or perpetuation related use variations to the City of Willmar Zoning Ordinance, in accordance with the rules developed by the Heritage Preservation Commission.
 - (5) Provide historical preservation, protection, or perpetuation recommendations to the Planning Commission on Renaissance Zone projects or on any other property within the City, as requested by the Planning Commission.
 - (6) Submit proposed site designations and design guidelines to the state historic preservation officer, in accordance with Minn. Stat. §471.193, subd. 6.
 - (7) Act as a resource and in an advisory capacity to the owner of designated and potentially designated properties regarding preservation, restoration, and rehabilitation activities.
 - (8) At the discretion of the Heritage Preservation Commission, initiate public hearings to solicit public input regarding proposed activities on a heritage preservation site.

- (d) *Annual Report.* The Heritage Preservation Commission shall make an annual report, containing a statement of its activities and plans, to the state historic preservation office and the city council, in accordance with the requirements of Minn. Stat. § 471.193, subd. 6.

Sec. 14-253. – Criteria for Local Heritage Designation.

(a) The following criteria shall be used by the City of Willmar Heritage Preservation Commission to evaluate whether a parcel, home, building, or portion of a building is eligible for Local Heritage Designation. Properties must meet at least one of the following criterion to be considered for designation:

- (1) The property is associated with significant events or uses that exemplify broad patterns of cultural, political, economic, or social history.
 - (2) The property is associated with the lives of significant persons or groups.
 - (3) The property is within the Downtown Commercial Heritage District.
 - (4) The property embodies the distinctive characteristics of an architectural or engineering type, or style, or method of construction.
 - (5) The property exemplifies great works of builders, engineers, designers, artists, craftsmen, or architects.
- (b) Once a parcel, home, building, or portion of a building is designated as eligible for a Local Heritage Designation by the Heritage Preservation Commission the designation cannot be removed from the property for at least ten (10) years.

Sec. 14-254. – Application.

(a) *Application.* All home or building owners wishing to apply for the Local Heritage Designation must complete an application, on the form provided by the Zoning Administrator, submit a completed application to the Zoning Administrator, and provide all additional information requested by City staff and the Heritage Preservation Commission. When the Zoning Administrator determines the application is complete, the Zoning Administrator shall submit the application to the Heritage Preservation Commission.

(b) *Evaluations and approvals.* The Heritage Preservation Commission shall review the application, and within 60 days of the date the Zoning Administrator determines the application is complete, take one of the following actions: approve the application, deny the application, request more information, or approve the application subject to conditions that must be satisfied before the approval is effective.

Sec. 14-255. – Alteration/Renovation and Demolition Reviews.

(a) *Building Official Review.* All permit applications for alterations, renovation and demolition of any structure shall be reviewed by the Building Official and Zoning Administrator to determine whether the project in whole or part is participating in the Local Heritage Designation program or is on the list of potential heritage properties. If any portion of the project is participating in the Local Heritage Designation program or on the list of potential heritage designation properties, the Building Official shall administratively review the permit to determine whether the proposed alterations or renovation are major or minor.

(1) *Major Alterations.* Major alterations are those changes that moderately or significantly alter the architectural integrity of the building(s) as it existed at the time of the Local Heritage Designation, as defined herein. Such alterations include, but are not limited to, new construction, additions, demolition, relocation, rehabilitation, or changes in material, roof line, basic shape, or placement of windows. Projects containing major alterations must be reviewed and approved by the City of Willmar Heritage Preservation Commission before a building or demolition permit may be issued.

(2) *Minor Alterations.* Minor alterations are those changes that do not alter or only slightly alter the architectural integrity of the building(s) as it existed at the time of the Local Heritage Designation, as defined herein. The Building Official may administratively approve building permits for projects with no or minor alterations.

(b) *Renaissance Zone Open Zoning projects.* Any project plan submitted to the Zoning Administrator under the Renaissance Zone Open Zoning process that affects any property with a Local Heritage Designation, which is on the list of potential heritage properties, or is in the Downtown Commercial Heritage District shall be reviewed by the City of Willmar Heritage Preservation Commission. The commission must submit recommendations to the Planning Commission on how to best preserve, protect, and perpetuate the historical significance represented by the affected properties.

(c) *Temporary Interim Protection.* The Building Official may temporarily delay issuing permits for the destruction or major alteration of any site, building, or structure on the list of potential heritage properties or in the Downtown Commercial Heritage District for up to 90-days to consult with the Zoning Administrator, Planning Commission and Zoning Board prior to issuance of a demolition or building permit.

(d) *Demolition.* Demolition of a Local Heritage Designated property must be approved by the Heritage Preservation Commission, after a public hearing, and based on specific findings that (1) the property no longer fits the designation criteria based

on professional historical, engineering, or architectural evaluations and studies; or (2) the property or the designated portion of the property has been destroyed by natural or other causes.

Sec. 14-256. – Appeals.

Appeals from decisions of the Building Official, Zoning Administrator, or the Heritage Preservation Commission regarding decisions made in accordance with this ordinance may be made to the Board of Zoning Appeals, as defined in Willmar Zoning Ordinance Section 9B, by following the process and standards found in Willmar Zoning Ordinance Section 9C.

Section 3. EFFECTIVE DATE. This ordinance shall be effective from and after its adoption and second publication.

Section 4. EXPIRATION DATE. This ordinance shall expire and be of no further force or effect from and after **December 31, 2025**, unless this ordinance, or any provision(s) thereof, are renewed or extended by separate ordinance.

Passed by the City Council of the City of Willmar this ____ day of _____, 2020.

ATTEST:

Judy Thompson, City Clerk

Marvin Calvin, Mayor

VOTE: ____ ALVARADO ____ ASMUS ____ DAVIS ____ FAGERLIE
 ____ MUESKE ____ NELSEN ____ PLOWMAN ____ SCHWANTES

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

Driveway Standards Ordinance Amendment Introduction

Staff is running into a number of issues due to the lack of standards of driveways in town, particularly for residential properties. Council approved a "driveway policy" that set standards for widths of curbcuts in residential & commercial areas, but we're finding a need to establish a few more details to be included in the building permit review process (without requiring a permit solely for a new driveway).

Staff foresees this as an amendment to Zoning Ordinance Section 3.S. "Driveway Access Permit/Approval" which currently states: "A driveway access permit or approval for connection to a public road/street shall be obtained from the City Engineer or governmental agency having jurisdiction for said road/street before a Building Permit is issued."

The engineering department doesn't actually have an "access permit" that is issued, so we are proposing to remove the existing language in totality & replace it with the following general content:

- In order to be granted more than 1 curb cut on a single residential lot, the lot must have greater than 150 ft of street frontage (continuous) — word like freestanding signs
- Driveways should be at least 50 ft apart (or as far apart as possible, where older, smaller lots exist)
- Corner lots may have 2, one per street frontage (150' street frontage not required)
- At least 50 feet from intersection
- At no time may any residential lot have more than 2 driveways
- Hard surface through R-o-W as approved by Engineering
- 24' width (residential) & 32' width (commercial)
- Shared driveways - Any best practices/examples from other Cities? Up to 32' cut if shared on older existing lots? Separation of at least 1 foot at property line where possible?
- Is it necessary to draft a sentence that mentions no driveway to a 2nd accessory structure b/c it's not a garage?

Anticipated Timeline:

- October 21st – Introduction at Planning Commission
- November 18th – Public Hearing at Planning Commission
- December 7th – Introduction at City Council
- December 21st – Public Hearing & Adoption at City Council

Papa Murphy's

Joel Meyer <joel.meyer@mnpapamurphys.net>

Tue 9/1/2020 11:16 AM

To: Sarah Swedburg <:sswedburg@willmarmn.gov>;

Cc: 'Kate Peterson' <kate.peterson@mnpapamurphys.net>;

Sarah,

I trust your doing well.

This is a note is to request an extension of the approved pick-up window for Papa Murphy's at 1516 1st Street South.

J&J Meyer Investments purchased the building at 1516 1st Street South in March, 2020.

The Insurance Center will lease until February 28, 2022 at which point construction will take place to remodel to Papa Murphy's.

Please contact me with any questions.

Joel Meyer | Papa Murphy's Take N Bake Pizza

125 South Sibley Ave., Ste 1, Litchfield, MN 55355

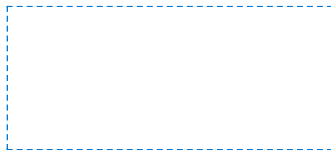
☎ (320) 593-2557

📱 (320) 894-5292

✉ joel.meyer@mnpapamurphys.net








[Click here to schedule time with me.](#)

"America's Most Craveable Pizza" | 2013 Nation's Restaurant News Consumer Picks Survey



Untitled Map

Write a description for your map.

- Legend
-  Apres Soleil Tanning Studio
 -  Feature 1
 -  Lake Region Insurance
 -  Pizza Hut
 -  The UPS Store - Willmar
 -  Thrifty White Pharmacy (Willmar)
 -  Willmar Hearing Aid Center Inc

Skylark Mall

Pickup Window

Truck

First St. S

100



**WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, OCTOBER 16, 2019**

MINUTES

1. The Willmar Planning Commission met on Wednesday, October 16, 2019, at 7:00 p.m. at the Willmar City Offices Conference Room #1.

Members Present: Steve Gardner, Terry Sieck, Jeff Kimpling, Cletus Frank, Jonathan Marchand, Rhonda Otteson, Rolf Standfuss, and Dr. Jerry Kjergaard

Members Absent: Christina Nelson

Others Present: Sarah Swedburg – Planner, Doug Fenster – Willmar, Joel Meyer - Litchfield

2. MINUTES: Minutes from the September 4th meeting were approved as presented.

3. PAPA MURPHY'S PLAN REVIEW – FILE NO. 19-04: Staff presented request by J&J Meyer Investments, LLC of Litchfield for a plan review to allow a restaurant with a drive-thru on property described as follows: That part of the East ½ of the East ½ of the Northeast ¼ described as follows: Commencing at a point 1,328 feet South and 215 feet West of the Northeast corner of said Section, then South 200 feet to point of beginning of tract herein described; Then East 140 feet to a point 75 feet West of East line of said Section 120 feet to point; Then West on line parallel with North line of said Section to point 215 feet West of East line of said section; Then North on line 215' West of East line of said Section 120 feet to point of beginning (1516 1st St S). The property is zoned GB, and at one point had a drive thru window for a coffee shop. The proposed restaurant is Papa Murphy's, which is a bit different in nature than a traditional restaurant as all customers take the food home to prepare.

Joel Meyer, franchise owner of the Willmar Papa Murphy's, explained their purchase agreement in place on the property and intent to continue to move forward. The current plan is to move locations in 2021. Although it is a bit of a ways out, they wanted to complete their due diligence before moving forward with purchasing the property. Staff reminded the Commission that approvals are valid for 1 year, and a letter of intent to continue with plans as presented must be submitted to the Commission to extend the approval.

Mr. Meyer also discussed the location of the window on the South side of the building, to allow for optimum stacking of cars in the drive thru. Commissioner Kimpling asked to discuss traffic flow on the site, as was discussed when the Starbucks/Aspen dental development was built as a free-standing building on the Kandi Mall site. The Commission determined that due to the context of this freestanding building on the Skylark Mall site, traffic flow was adequately addressed.

The Planning Commission reviewed and discussed staff comments (see Attachment A). Staff walked through the Ordinance requirements for a "joint parking facility," and because there is an existing legal instrument in place between the proposed property & skylark mall to share parking spaces, they meet all of the requirements to continue this joint use to satisfy parking needs.

Mr. Meyer anticipates an increase in online orders from 26% to 50% of sales (as opposed to walk-in orders) due to greater access available on this site compared to their current location. He stated that the majority of other Papa Murphy's locations are seeing a very similar trend.

The Planning Commission reviewed and made affirmative findings of fact as per Zoning Ordinance Section 9.E.3.a.1-7.

Mr. Frank made a motion, seconded by Dr. Kjergaard, to approve the plan review for a restaurant drive-thru with the following conditions:

- a) Shared parking covenants with the Skylark Mall shall remain during the full duration of the use as a drive-thru restaurant.
- b) If the approved project does not begin within 1 year, a letter for extension of Plan Review approval shall be submitted to Planning Commission.
- c) The use shall comply with all applicable local, state, and federal rules, laws, and regulations at all times.

The motion carried.

4. ZEIMER PETITION FOR DETACHMENT: Staff presented a petition for detachment that has recently been received from a property owner on the East side of the City. Doug Fenster discussed the purpose for the request being the desire for full land ownership rights and the restrictive nature of this site, due to the BSNF Rail Spur and Rail Line, as well as certain uses in proximity to the School District and utility access.

Mr. Frank inquired about future intentions with the property. Mr. Fenster was not aware of any intention of change to the current agricultural use.

The Planning Commission requested further input from City staff for their next meeting.

5. OVERLAY DISTRICT DISCUSSION: Staff presented an effort to begin researching potential language to create an Overlay District to further incentivize development within our federally-designated Opportunity Zone. An Overlay District is a tool that can be employed to create greater flexibility or restriction within our Zoning Ordinance, while still recognizing the existing Zones. Other Cities employ Overlay Districts to assist with environmental needs or to incentive restoration and maintenance of historic properties, for example. Staff is currently researching ideas to encourage investment and rehabilitation of current properties within the Opportunity Zone, which encompasses all of our downtown, as well as some 1st Street Corridor, Hwy 12 Corridor, and a small portion of surrounding residential neighborhoods.


By further incentivizing the Opportunity Zone, Staff's intention is to show that the City is supportive of development in this area. The Planning Commission walked through a few examples of how this might encourage a current property owner to invest in their property (both residential & commercial uses) as well as encourage an outside developer to build an infill development in this historic area of Willmar. The current Opportunity Zone restrictions do not afford current property owners much ability to utilize the tax incentives, but an overlay district from the City may further open up the opportunity to incentivize their investments in this area.

The Planning Commission was supportive of Staff's continued research and effort to compile a recommendation for their review.

PLANNING COMMISSION – OCTOBER 16, 2019

STAFF COMMENTS

1. PAPA MURPHY'S DRIVE-THRU PLAN REVIEW – FILE NO 19-04:

- 
- The applicant is J&J Meyer Investments, LLC of Litchfield, MN.
 - The applicant is requesting a plan review to allow a drive-thru for a new Papa Murphy's location on property described as follows: That part of the East ½ of the East ½ of the Northeast ¼ described as follows: Commencing at a point 1,328 feet South and 215 feet West of the Northeast corner of said Section, then South 200 feet to point of beginning of tract herein described; Then East 140 feet to a point 75 feet West of East line of said Section 120 feet to point; Then West on line parallel with North line of said Section to point 215 feet West of East line of said section; Then North on line 215' West of East line of said Section 120 feet to point of beginning (1516 1st St S).
 - The property is zoned GB (General Business).
 - Lot width, area, and building setbacks are well exceeded. Parking surface is a part of the larger Skylark Mall property complex.
 - The current building would be refurbished for the new use as Papa Murphy's.
 - 7 parking spaces would be provided onsite. There is an outstanding covenant between this property & Skylark mall for joint parking facility. Adequate parking spaces are within 300 feet of the property, no substantial conflict of principal operation hours exist, and a properly drawn legal instrument currently exists.
 - The site can be accessed off of 1st St S, as well as cross-property entrances from 16th Avenue SW & 19th Avenue SW.
 - Building Façade?
 - The official move is not anticipated until 2021.
 - Signage approvals are ancillary from site plan review/approval.

RECOMMENDATION: Approve plan review with the following conditions:

- A. Shared parking covenants with the Skylark Mall shall remain during the full duration of the use as a drive-thru restaurant.
- B. If the approved project does not begin within 1 year, a letter for extension of Plan Review approval shall be submitted to Planning Commission.
- C. The use shall meet all applicable local, state, and federal rules and regulations at all times.